UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAR 0 9 2015

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL 7009 1680 0000 7677 8978
RETURN RECEIPT REQUESTED

Ms. Kayla Criswell
Environmental/Project Engineer
Rochester Metal Products
616 Indiana Avenue
Post Office Box 318
Rochester, Indiana 46975

Re: Notice of Violation
Compliance Evaluation Inspection
EPA I.D. No.: INR000007161

Dear Ms. Criswell:

On March 5, 2014 a representative of the U.S. Environmental Protection Agency inspected the Rochester Metal Products (RMP) facility located in Rochester, Indiana. As a large quantity generator of hazardous waste, RMP is subject to the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 *et seq*. (RCRA). The purpose of the inspection was to evaluate RMP's compliance with certain provisions of RCRA and its implementing regulations related to the generation, treatment and storage of hazardous waste. A copy of the inspection report is enclosed for your reference.

Based on information provided by RMP, EPA's review of records pertaining to RMP, and the inspector's observations, EPA has determined that RMP has unlawfully stored hazardous waste without a permit or interim status as a result of RMP's failure to comply with certain conditions for a permit exemption under 40 C.F.R. §§ 262.34(a)-(c), which are incorporated by reference into the Indiana Administrative Code at 329 IAC 3.1-7-1. EPA has identified the permit exemption conditions with which RMP was out of compliance at the time of the inspection in paragraph 1, below.

Many of the conditions for a RCRA permit exemption are also independent requirements that apply to permitted and interim status hazardous waste management facilities that treat, store, or dispose of hazardous waste (TSD requirements). When a hazardous waste generator loses its permit exemption due to a failure to comply with an exemption condition incorporated from 40 C.F.R. Part 265, which is incorporated by reference into the Indiana Administrative Code at 329 IAC 3.1-10-1, the generator: (a) becomes an operator of a hazardous waste storage facility; and (b) simultaneously violates the corresponding TSD requirement. The exemption conditions identified in paragraph 1 are also independent TSD requirements incorporated from 40 C.F.R.

Part 265. Accordingly, the failure of RMP to comply with this condition is also a violation of the corresponding requirement in 40 C.F.R. Part 265 (if the facility should have fully complied with the requirements for interim status), or 40 C.F.R. Part 264, which is incorporated by reference into the Indiana Administrative Code at 329 IAC 3.1-9-1 (if the facility should have been permitted).

STORAGE OF HAZARDOUS WASTE WITHOUT A PERMIT OR INTERIM STATUS AND VIOLATIONS OF TSD REQUIREMENTS

At the time of the inspection, RMP was out of compliance with the following large quantity generator permit exemption conditions, which are also independent TSD requirements violated by RMP:

1. Content of Contingency Plan

Under 329 IAC 3.1-7-1 and 3.1-10-1 [40 C.F.R. §§ 262.34(a)(4) and 265.52(d) – (f)], a large quantity generator must have a written contingency plan that includes, among other items:

> (i) The names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator;
>
> (ii) A list of all emergency equipment at the facility (such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment), where this equipment is required. This list must be kept up to date. In addition, the plan must include the location and a physical description of each item on the list, and a brief outline of its capabilities; and
>
> (iii) An evacuation plan for facility personnel where there is a possibility that evacuation could be necessary. This plan must describe signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes (in cases where the primary routes could be blocked by releases of hazardous waste or fires).

At the time of the inspection, RMP's contingency plan did not:

- Include the home addresses of persons identified as emergency coordinators;
- Include the location of emergency equipment at the facility; nor
- Describe primary and alternate evacuation routes.

Summary: By failing to comply with the conditions for a permit exemption, above, RMP became an operator of a hazardous waste storage facility, and was required to obtain an Indiana hazardous waste storage permit. RMP failed to apply for such a permit. RMP's failure to apply for and obtain a hazardous waste storage permit violated the requirements of 329 IAC 3.1-13-1 and 3.1-13-3(a) and (d) [40 C.F.R. §§ 270.1(c), and 270.10(a) and (d)]. Any failure to comply with a permit exemption condition incorporated from 40 CFR Part 265 is also an independent violation of the corresponding TSD requirement.

At this time, EPA is not requiring RMP to apply for an Indiana hazardous waste storage permit so long as it immediately establishes compliance with the conditions for a permit exemption outlined in paragraph 1, above.

After the inspection, as documented in an email to EPA on May 9, 2014, you took certain actions to establish compliance with the above permit exemption conditions and contingency planning requirements. Specifically, your email included a revised contingency plan dated April 2014. However, the revised contingency plan still does not describe primary and alternate evacuation routes. Instead, the evacuation plan simply instructs employees to leave through the nearest available exit and assemble at the designated area.

According to Section 3008(a) of RCRA, EPA may issue an order assessing a civil penalty for any past or current violation, requiring compliance immediately or within a specified time period, or both. Although this letter is not such an order or a request for information under Section 3007 of RCRA, 42 U.S.C. § 6927, we request that you submit a response in writing to us no later than 30 days after receipt of this letter documenting the actions, if any, you have taken related to paragraph 1.You should submit your response to Todd Brown, U.S. EPA, Region 5, 77 West Jackson Boulevard, LR-8J, Chicago, Illinois 60604.

If you have any questions regarding this letter, please contact Mr. Brown, of my staff, at (312) 886-6091 or at brown.todd@epa.gov.

Sincerely,

Gary J. Victorine, Chief
RCRA Branch

Enclosure

cc: Nancy Johnston, Indiana Department of Environmental Management (njohnsto@idem.in.gov)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 W. JACKSON BOULEVARD
CHICAGO, IL 60604

COMPLIANCE EVALUATION INSPECTION REPORT

INSTALLATION NAME:	Rochester Metal Products Corporation
U.S. EPA ID No.:	INR000007161
LOCATION ADDRESS:	616 Indiana Avenue Rochester, Indiana 46975
NAICS CODE:	331511 Iron Foundries
DATE OF INSPECTION:	March 5, 2014
U.S. EPA INSPECTOR:	Todd C. Brown

PREPARED BY: Todd Brown — 3/27/14

Todd C. Brown
Environmental Scientist
Date

REVIEWED BY: — 3/28/14

Michael Cunningham, Chief
Compliance Section 1
RCRA Branch
Date

I. Purpose of Inspection

The purpose of this unannounced compliance evaluation inspection (CEI) was to evaluate the compliance of Rochester Metal Products Corporation, with the Resource Conservation and Recovery Act, with respect to its management of hazardous waste, universal waste and used oil.

II. Site Description

Rochester Metal Products Corporation (Rochester) operates an iron foundry for production of both ductile and gray iron casts (Figure 1). It has approximately 350 employees.

Feedstock, consisting of scrap steel, carbon, silicon, iron returns, pig iron, and alloying materials are preheated in natural gas furnaces for introduction into one of five induction melting furnaces. The molten iron is poured into sand molds of the desired shape. If an internal cast is needed, sand/resin cores are inserted into the mold cavity. After cooling, the casts are separated from the sand through a shakeout process. The sand is screened and returned to a storage bin for reuse. Any non-casted iron is removed, and the surface of the cast is cleaned by shot-blasting. Finally, the cast is finished to specification (e.g., grinding, pressing) and prepared for shipment.

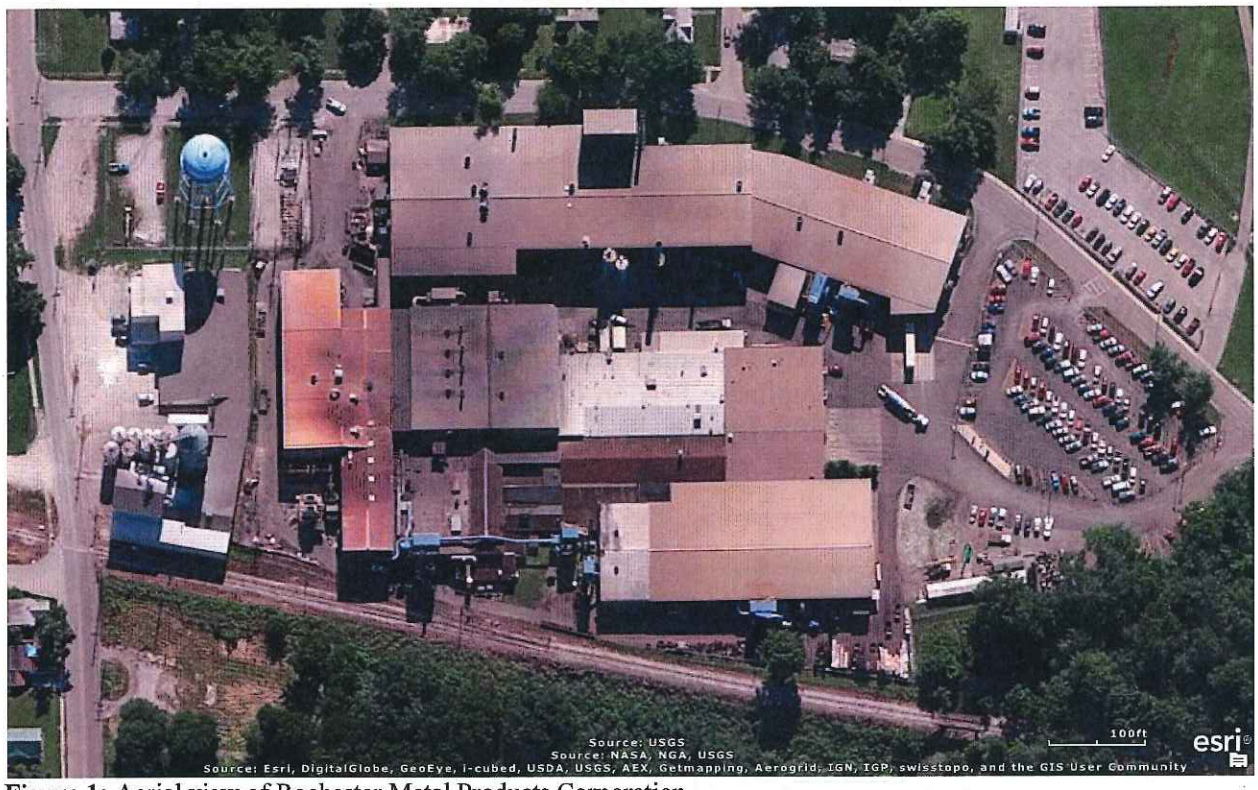


Figure 1: Aerial view of Rochester Metal Products Corporation.

Rochester is a large quantity generator (LQG) of hazardous waste. Its largest hazardous waste stream is metal dust collected in bags by air pollution control equipment. The dust possesses the characteristic of toxicity due to cadmium and lead concentrations. There are several dust

collectors at the facility; two of which generate the hazardous dust waste: the #9 and #13 dust collectors. The #13 collector is associated with the gray iron melting process, and reportedly, is always identified as hazardous waste. Rochester determines the regulatory status of each bag removed from the #9 collector on an individual basis. Additional hazardous waste generated by Rochester includes obsolete chemicals removed from laboratories or the pattern shop. Rochester is a generator of used oil and universal waste lamps.

Table 1 lists hazardous wastes generated/shipped by Rochester in 2011 and 2012, as reported on its Biennial Report and Annual Manifest Summary Report, respectively.

Table 1. 2011/2012 Waste Report Summary

Waste Description	***Hazardous Waste Numbers***	***Amount Generated in 2011 (lbs)***	***Amount Shipped in 2012 (lbs)***
Metal Dust Bags	D006, D008	16,500	12,000
Waste Paint	D001	None	850
Flammable Liquids	D001	None	300
Sulfuric Acid	D002	None	40
Zip Slip 121S Aliphatic Hydrocarbons	D001	15	None

Reportedly non-hazardous waste generated by Rochester includes sand, core material, slag, and dust/fines removed from the additional dust collectors.

III. Opening Conference

I arrived at Rochester on March 5, 2014, at approximately 9:30 A.M., and conducted an opening conference with Mr. Doug Smith, Maintenance and Engineering Manager; and Ms. Kayla Criswell, Environmental/Project Engineer. I presented my credentials, explained the purpose of the inspection, and interviewed the Rochester representatives on facility operations and waste management activities. Information provided in response to my inquiry is summarized in Section II, above.

I inquired as to Rochester's shipment of slag waste on January 17, 2014, to County Line Landfill in Fulton County, Indiana; which was reported to the Indiana Department of Environmental Management (IDEM) through a Non-conforming Waste Acceptance Notification as having a Toxicity Characteristic Leaching Procedure (TCLP) barium concentration of 550 mg/L (Attachment C). In response, the Rochester representatives contended that this particular TCLP result was a product of sample collection error. There are nine separate areas where slag is generated from ladles or furnaces, which is accumulated as mixtures in several roll-off containers. Rochester contends that the appropriate manner in which to collect a representative

sample of the slag is to form a composite from multiple points within a roll-off container. Samples of the slag collected in this manner have been analyzed on multiple occasions (three year frequency); and none have yielded TCLP constituent concentrations above the regulatory level. The slag sample which yielded a barium concentration of 550 mg/L was collected directly from the gray iron melt furnace, which Rochester contends is not representative of the slag mixture as it accumulates within the container. A written explanation to IDEM on the sample collection is included in Attachment D.

During the conference, I provided the Rochester representatives with EPA's Small Business Resources Handout, a list of pollution prevention contacts in Region 5, and a pamphlet from IDEM on pollution prevention services.

I informed the Rochester representatives of the public availability of government records, and the need for them to identify any information I collect that it considers confidential business information.

IV. Site Tour

At approximately 10:00 A.M., I toured the facility with Ms. Criswell. The tour included, but was not limited to: the hazardous waste storage area, scrap yard, gray iron production, ductile iron production, shell core, cold box core, mold making, shot blast, cleaning and finishing areas.

The following containerized wastes were present in the hazardous waste storage area (photograph 1):

- One container of aerosol waste labeled as hazardous waste and dated January 10, 2014 (photograph 2);
- One container of paint waste labeled as hazardous waste and dated January 10, 2014 (photograph 2);
- Two containers of diesel fuel waste labeled as hazardous waste and dated December 22, 2013, and January 17, 2014, respectively (photograph 3);
- One container of #13 dust collector waste labeled as hazardous waste and dated February 25, 2014 (photograph 4);
- Two containers of non-hazardous alloy waste;
- One cubic yard bag of #9 dust collector waste (photograph 5) tagged as "on hold pending analysis" (photograph 6). The tag indicated the waste was removed from the dust collector on March 4, 2014.

A used oil tote container was located at the Truck Shop (photograph 7), and a tank for bulk

collection of used oil was located at the Finishing Department (photographs 9 and 10). Both were labeled, "Used Oil."

I noted a hopper for collection of core waste located at the cold box coring area (photograph 8).

V. Records Review

I reviewed the following records: weekly container inspection forms, contingency plan, RCRA training records, hazardous waste manifests, 2013 Biennial Report, and waste determination records.

Weekly Inspection Records

Rochester maintains weekly inspection records for its hazardous waste container storage area. The inspections are conducted by Ms. Criswell. The logs indicate that Rochester inspects for leaks, container condition, and labeling, among other items.

Contingency Plan

I obtained a copy of Rochester's Hazardous Waste Preparedness and Contingency Plan. The document indicates it was last revised on August 5, 2002.

The plan lists equipment available for use in an emergency and refers to an attached map for its locations. However, the map is not present in the plan.

An evacuation plan is present, which describes the signals used to begin evacuation. However, the plan does not include primary and secondary evacuation routes; but rather, instructs employees to use the nearest available exit and proceed to the designated assembly area (south east corner of main parking lot).

Four individuals are named as emergency coordinators. Their home addresses are not included in the contingency plan.

A copy of Rochester's Spill Prevention Control and Countermeasures Plan was also obtained.

RCRA Training Records

Rochester maintains RCRA-related training records dating back until at least 2002, including: class rosters, test records, and a description of the training. Ms. Criswell provides the training to the relevant employees. The course appears to be provided on an annual basis.

Manifests

Hazardous waste manifests and land disposal restriction notifications were on file dating back to at least 2008. As of the date of the inspection, a single manifested shipment of hazardous waste had occurred in 2014; consisting of 2000 lb of metal dust to Envirite of Illinois (ILD000666206) on January 10, 2014.

2013 Biennial Report

A copy of Rochester's 2013 Biennial Report was on file. Rochester reported generating 8,000 lbs of melt dust waste (D006/D008) and 389 lbs of waste paint. The waste was shipped to either Envirite of Illinois or Tradebe in East Chicago, Indiana (IND000646943).

Waste Determination Records

I reviewed and obtained copies of Analytical Reports produced for Rochester by TestAmerica regarding several samples of solid waste. All of the samples were analyzed via the TCLP for the 8 RCRA metal constituents (i.e., arsenic, barium, cadmium, chromium, lead, mercury, selenium, and silver). The reports are summarized as follows:

Job ID: 500-70310-1: Ten samples collected on January 17, 2014, described as: (1) **Shot Blast Waste**; (2) **Shell Core Spill & Sand Cores**; (3) **Cold Box Spill Sand w/Cores**; (4) **Transfer & Pouring Slag**; (5) **Sand System DC Fines**; (6) **Melt System Fines**; (7) **Ladle Refractory**; (8) **Preheater Scalpings**; (9) **Ductile Treatment Fines**; and (10) **Finishing System Fines.** Those samples described as "fines" and shot blast were collected from various dust collectors at the facility. The "Melt System Fines" sample was collected from the #9 collector. It is the "Transfer and Pouring" slag sample from this analysis that yielded the barium concentration of 550 mg/l (as discussed previously in this report). None of the other samples yielded TCLP constituents at or above the regulatory level.

Job ID: 500-70738-1: One sample of **Transfering & Pouring Slag** collected on January 27, 2014. None of the analytes are reported at or above the regulatory level. Barium was below the reporting limit.

Job ID: 500-70740-1: One sample of **Ajax Side Floor Slag** collected on January 27, 2014. None of the analytes are reported at or above the regulatory level.

Job ID: 500-70741-1: One sample of **Hunter Pouring Slag** collected on January 27, 2014. None of the analytes are reported at or above the regulatory level.

Job ID: 500-70966-1: Three samples collected on January 31, 2014, described as: **Slag Rolloff 1, Slag Rolloff 2, and Slag Rolloff 3**. None of the analytes are reported at or above the regulatory level. Barium was detected in Slag Rolloff 3 at 93 mg/L.

In addition, I reviewed an analytical report for a sample of mold sand waste collected in September, 2008. The sample was analyzed via the TCLP for the 8 RCRA metals. None of the analytes were reported at or a above the regulatory level.

VI. Closing Conference

I conducted a closing conference with Ms. Criswell during which I discussed contingency plan requirements. I also stated the EPA may issue an information request regarding the transfer and pouring slab slag waste determination.

A: Inspection Photographs
B: RCRA EPA Generator Checklist for Indiana
C: Republic Services, Inc. Non-Conforming Waste Acceptance Notification, February 13, 2014
D: Letter from Rochester Metal Products Corporation, February 27, 2014

Attachment A: Photographs for Rochester Metal Products Corporation (INR000007161), Rochester, Indiana

Photo Number 1

Photo Filename DSCN0626.JPG

Date/Time 3/5/2014
10:09:22 AM

Photographer Todd Brown

Description

Containers present in the hazardous waste storage area.

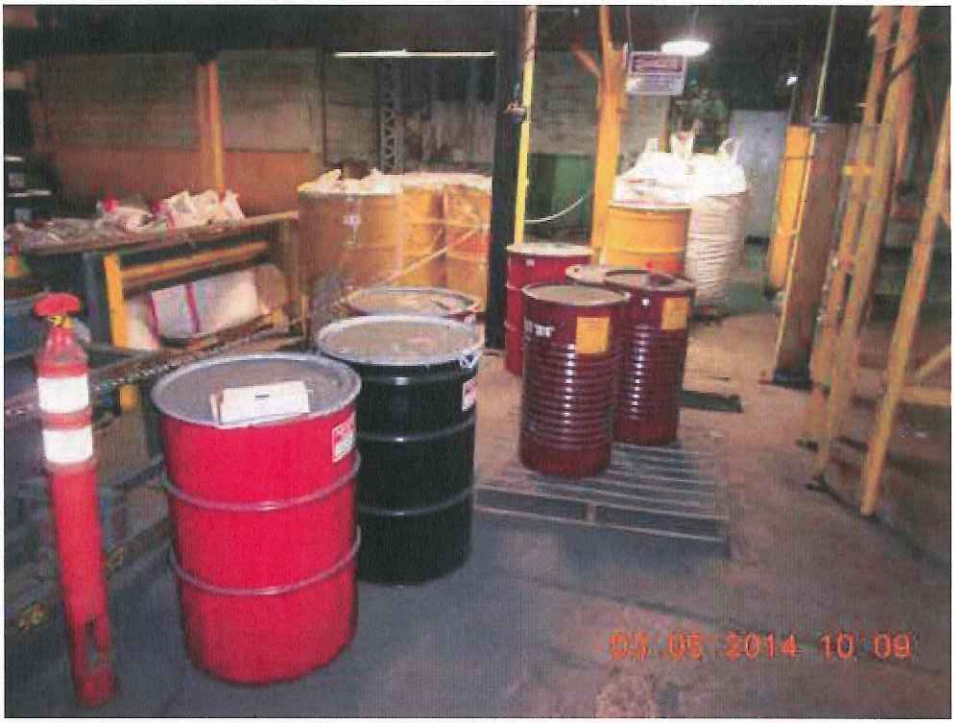


Photo Number 2

Photo Filename DSCN0627.JPG

Date/Time 3/5/2014
10:09:34 AM

Photographer Todd Brown

Description

Containers of paint waste (left) and aerosol can waste (right) in the hazardous waste storage area.

Attachment A: Photographs for Rochester Metal Products Corporation (INR000007161), Rochester, Indiana

Photo Number 3

Photo Filename DSCN0628.JPG

Date/Time 3/5/2014
10:09:44 AM

Photographer Todd Brown

Description

Containers of diesel fuel waste in the hazardous waste storage area.

Photo Number 4

Photo Filename DSCN0629.JPG

Date/Time 3/5/2014
10:10:10 AM

Photographer Todd Brown

Description

Container of dust collector waste in the hazardous waste storage area.

Attachment A: Photographs for Rochester Metal Products Corporation (INR000007161), Rochester, Indiana

Photo Number 5

Photo Filename DSCN0630.JPG

Date/Time 3/5/2014
10:12:14 AM

Photographer Todd Brown

Description

Container of melt dust fines waste from the #9 dust collector, located in the hazardous waste storage area. At the time of the inspection, the contents were undergoing hazardous waste analysis (photograph 6).

Photo Number 6

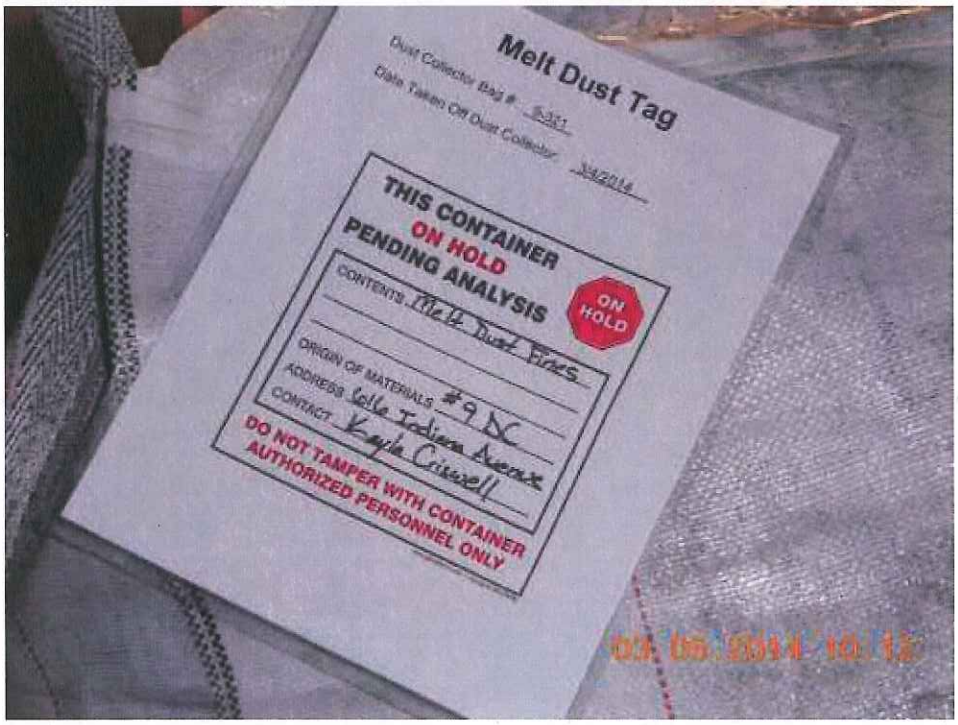
Photo Filename DSCN0631.JPG

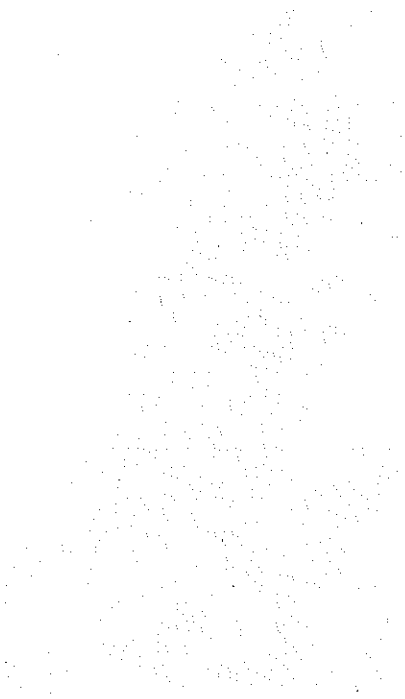
Date/Time 3/5/2014
10:12:26 AM

Photographer Todd Brown

Description

Label on the bag of melt dust fines featured in photograph 5.





Attachment A: Photographs for Rochester Metal Products Corporation (INR000007161), Rochester, Indiana

Photo Number 7

Photo Filename DSCN0632.JPG

Date/Time 3/5/2014
10:25:10 AM

Photographer Todd Brown

Description

Container of used oil located outside of the Truck Shop.

Photo Number 8

Photo Filename DSCN0633.JPG

Date/Time 3/5/2014
10:28:50 AM

Photographer Todd Brown

Description

Hopper containing waste core material generated from cold box coring.

Attachment A: Photographs for Rochester Metal Products Corporation (INR000007161), Rochester, Indiana

Photo Number 9

Photo Filename DSCN0634.JPG

Date/Time 3/5/2014
10:41:04 AM

Photographer Todd Brown

Description

Used oil bulk collection tank located in the finishing department.

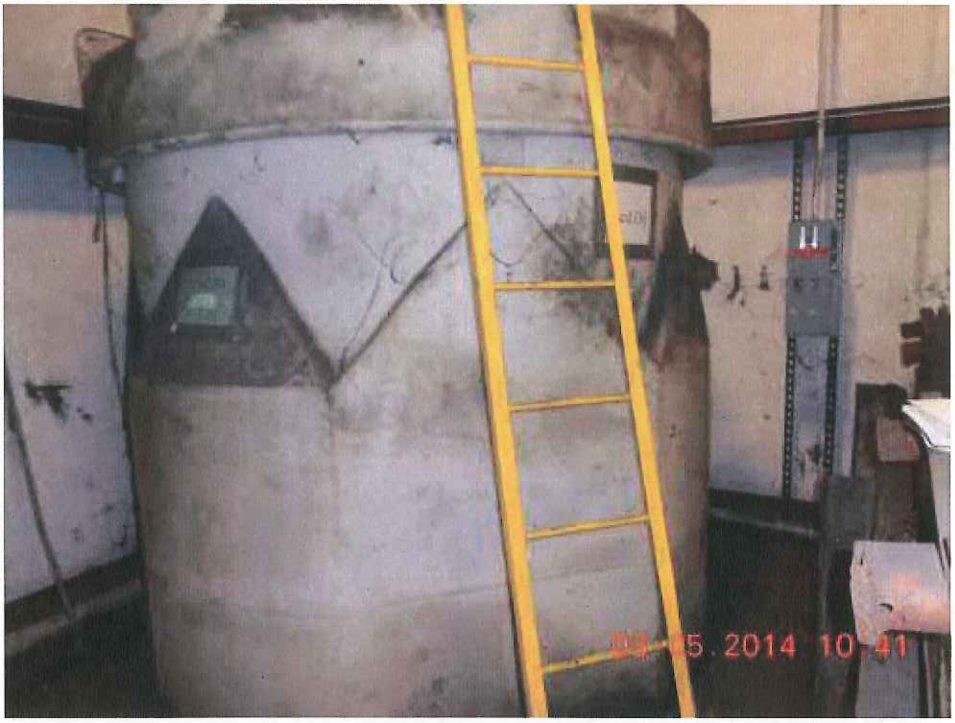


Photo Number 10

Photo Filename DSCN0635.JPG

Date/Time 3/5/2014
10:41:14 AM

Photographer Todd Brown

Description

Label on the used oil bulk collection tank featured in photograph #9.

Attachment B

RCRA Generator Inspection Checklist (Part 722)

Rochester Metal Products Corporation 3/5/14. INR000007161

U.S. EPA Generator Checklist for Indiana

7/15/2013

PART 262: Standards Applicable to Generators of Hazardous Waste

#	40 CFR	NA = Not Applicable, NI = Not Inspected, OK = In Compliance, DF = Deficiency	NA	NI	OK	DF
		GENERAL	**NA**	**NI**	**OK**	**DF**
1	262.11	Hazardous Waste Determination (characteristic, listed, TCLP, knowledge, exclusions)— See report Regarding slag waste				
2	262.12(a)	EPA Identification Number (Generator must have ID number)			X	
3	262.12(c)	Generator must not offer waste to transporters or facilities that have not received ID number.				
329 IAC 3.1-7/4-6 & 8 & 11		**THE MANIFEST**	**NA**	**NI**	**OK**	**DF**
4	262.20	General Requirements (manifest to approved TSD/alt. TSD, SQG reclaim exemption on file)(all required info)			X	
5	262.21	Manifest Acquisition (generator state 1st, consignment state 2nd)	X			
6	262.22	Number of Copies (generator, transporters, TSD, & 1 copy returned to generator)			X	
7	262.23	Manifest Use (signature & date: generator, transporter, TSD, keep copy)			X	
8	329 IAC 3.1-7-4	Indiana Manifest required for hazardous waste shipped to Indiana TSD Facilities	X			
9	329 IAC 3.1-7-6	Manifest copies available for review, submitted copies within 5 days after shipping			X	
		PRE-TRANSPORT REQUIREMENTS **NOTE:If facility treats in < 90 day tanks or containers, see 268.7**				
10	262.30, 31, 32, 33	Packaging, Labeling, Marking, Placarding (DOT regulations) (Only apply if waste is in the process of being transported)	X			
		LARGE QUANTITY GENERATORS	**NA**	**NI**	**OK**	**DF**
11	262.34(a)	90 Day accumulation limit: Generator may accumulate on-site for 90 days or less provided that:			X	
12	262.34(a)(1)	Waste is placed in tanks, containers, containment building, or drip pad			X	
13	262.34(a)(2)	Container marked with start of accumulation date			X	
14	262.34(a)(3)	Container/tank marked "Hazardous Waste"			X	
15	262.34(b)	30 Day extension	X			
		SATELLITE CONTAINERS	**NA**	**NI**	**OK**	**DF**
16	262.34(c)(1)	Satellite accumulation (55 gal. maximum or one (1) quart acutely hazardous)	X			
17	262.34(c)(I)	i) Container must be closed when not in use, in good condition, and compatible with waste	X			
18	262.34(c)(I)	ii) marked "Hazardous waste" or other words, at or near process and under control of operator	X			

U.S. EPA Generator Checklist for Indiana

7/15/2013

19	262.34(c)(2)	If exceed 55 gal., container must be marked with accumulation date and must be removed within 3 days	X			
		SMALL QUANTITY GENERATOR	**NA**	**NI**	**OK**	**DF**
20	262.34(d)(e)(f)	SQG Requirements - 180 days or less (unless transported over 200 miles), quantity of hazardous waste on-site 6000 kg. or less, must follow:	X			
21	262.34(d)(4)	Containers marked with start of accumulation date and words "Hazardous Waste"	X			
22	262.34(d)(4)	Must also comply with 265 Subpart C and I. See pages 4 and 5.	X			
23	262.34(d)(5)	i) Emergency coordinator identified	X			
24	262.34(d)(5)	ii) Following info posted: emergency coordinator, emergency equipment location, phone numbers	X			
25	262.34(d)(5)	iii) Employees must be familiar with handling and emergency procedures	X			
26	262.34(d)(5)	iv) Respond to emergencies	X			
		RECORD KEEPING	**NA**	**NI**	**OK**	**DF**
27	262.40	RECORD KEEPING (3 yrs. for copy from manifests, TSD, biennial report, exception report, test results, waste analysis/determination, extension time for unresolved enforcement.)			X	
28	262.41	Biennial Report (due March 1 even numbered years) (**LQG ONLY**)			X	
29	262.42	Exception Reporting (LQG: >35 days, if no return copy of manifest, contact TSD: >45 days report to IDEM, (SQG: >60 days) transportation report to IDEM)	X			
30	262.43	Additional Reporting , if required by Commissioner (concerning quantities and disposition of wastes in 40 CFR 261)	X			
31	262.44	SQG Recordkeeping Requirements (keep records for 3 years: manifests, exceptions, waste determination/analysis)	X			
		EXPORTS	**NA**	**NI**	**OK**	**DF**
32	262.52	General Requirements (notify EPA, accepted by receiving country, EPA consent)	X			
33	262.53	Notification of Intent to Export	X			
34	262.54	Special Manifest Requirements for Primary Exporters	X			
35	262.55	Exception Reports (>45 days from US departure, >90 days from receipt by foreign source/waste returned to US)	X			
36	262.56	Annual Reports (March 1 annually for waste: types, quantity, frequency, destination, waste reduction send to EPA)	X			
37	262.57	RECORD KEEPING (3 years for intent to export, EPA acknowledgments, confirmation of delivery, and annual reports)	X			
		IMPORTS OF HAZARDOUS WASTE	**NA**	**NI**	**OK**	**DF**
38	262.60	Hazardous Waste Imports (use consignment state's manifest)	X			

U.S. EPA Generator Checklist for Indiana

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		TSD STANDARDS APPLIABLE TO GENERATORS GENERAL FACILITY STANDARDS (NA for SQG)	NA	NI	OK	DF
39	262.34 / 265.16(a)	Personnel Training (Program Adequacy)			X	
40	262.34 / 265.16(b)	Personnel received training within six (6) months			X	
41	262.34 / 265.16(c)	Personnel received annual review			X	
42	262.34 / 265.16(d)	Training Documents: job titles, job description, type of training, training records			X	
		PREPAREDNESS AND PREVENTION	**NA**	**NI**	**OK**	**DF**
43	262.34 / 265.31	Maintenance & Facility Operation(must be maintained & operated to minimize possibility of release)			X	
44	262.34 / 265.32	Required Equipment (a. Internal alarm/communication system b. External/telephone communication c. Fire extingishers and spill control equipment d. water/foam)			X	
45	262.34 / 265.33	Testing & Maintenance of Equipment			X	
46	262.34 / 265.34	Communication & Alarm Access			X	
47	262.34 / 265.35	Required Aisle Space (to allow movement of spill control and emergency equipment and inspections)			X	
48	262.34 / 265.37	Local Authority Arrangements (police, fire, hospital)			X	
		CONTINGENCY PLAN & EMERGENCY PROCEDURES (NA for SQG)	**NA**	**NI**	**OK**	**DF**
49	262.34 / 265.51	Contingency Plan for Facility			X	
50	262.34 / 265.52	Contingency Plan Content (SPCC plan, local arrangements, emergency coordinator, equipment list, evacuation plan, etc.)				X
51	262.34 / 265.53	Contingency Plan Available (on-site, local distribution)			X	
52	262.34 / 265.54	Contingency Amendments (when regulations change, if plan fails, when facility makes changes)			X	
53	262.34 / 265.55	Emergency Coordinator available			X	
54	262.34 / 265.56	Emergency Procedures followed			X	
		USE & MANAGEMENT OF CONTAINERS	**NA**	**NI**	**OK**	**DF**
55	262.34 / 265.171	Container Condition (If not in good condition or leaking, must transfer waste or manage in some other way)			X	

U.S. EPA Generator Checklist for Indiana

7/15/2013

56	262.34 / 265.172	Waste Compatibility with Container			X	
57	262.34 / 265.173	Container Management (closed/manged to prevent leaks)			X	
58	262.34 / 265.174	Inspections (weekly)			X	
59	262.34 / 265.176	Ignitable/Reactive Waste (50 ft. set back)	X			
60	262.34 / 265.177	Special Requirements for Incompatible Waste (physical separation/container compatibility)	X			
		LAND DISPOSAL RESTRICTIONS	**NA**	**NI**	**OK**	**DF**
61	268.3	Dilution prohibited as substitute for adequate treatment				
62	268.7	Waste Analysis, Recordkeeping (LDR Notifications: waste code, whether it is a wastewater or non-wastewater, waste constituents to be monitored if monitoring will not include all regulated constituents, subcategory if applicable, and manifest number.)			X	
63	268.7 (a)(4)	Treatment in 90-day tanks/containers requires waste analysis plan and testing frequency, filed with Regional Administrator (IDEM), certification of shipment, retained copies on-site (5 yrs.), notifications include: EPA ID #, treatment standards with 5 letter code, and manifest number	X			
64	268.7(a)(7)	Notifications must be kept on-site for five (5) years			X	
65	268.9	Listed and characteristic waste codes assigned for listed waste exhibiting characteristic	X			
66	268.42	Alternative treatment specified for lab packs, mixed waste: most stringent standards	X			
67	268.45	Treatment standards for hazardous debris	X			
		OTHER	**NA**	**NI**	**OK**	**DF**
68	IC 13-30	Release of contaminants to environment	X			
69	IAC 3.1-7-8	Facility has waste minimization program as certified on manifest		X		
70	IC 13-30-2-1 (9)	Does facility have any processes or activities (e.g. waste piles, incinerators, land disposal) which require a permit or interim status? If so, please identify below:			X	

Attachment C

Republic Services, Inc. Non-Conforming Waste Acceptance Notification February 13, 2014

REPUBLIC SERVICES, INC.

County Line Landfill Partnership
7922 North Old US HWY 31
Argos, IN 46501
Tel: (574) 892-6483

February 13, 2014

Ms. Alicia Brown
Solid Waste Permits Section
Office of Land Quality
100 North Senate Avenue
MC 65-45 IGCN 1101
Indianapolis, IN 46204-2251

Re: County Line Landfill Non-Conforming Waste Acceptance Notification
Solid Waste Facility Permit FP 25-03, Fulton County

Dear Ms. Brown:

As specified by the permit requirements of Solid Waste Facility Permit 25-03 (A3), we hereby provide the 7 day written notification of the non-conforming waste acceptance event at the County Line Landfill (CLLF). On Friday, February 7th, at approximately 9 am (cst), CLLF was notified by a local Special Waste Generator (Generator) that the landfill unknowingly accepted one load of contaminated slag (Transfer & Pouring Slag), of which may have been a hazardous waste. CLLF was informed that analytical results, obtained after the waste had been received at the landfill, demonstrated that the slag had a TCLP Barium level of 550 mg/l, compared to the acceptable level of less than 100 mg/l. The 1 day verbal notification was made to you by voice message at approximately 12:15 pm, and Ms. Anne Weinkauf (IDEM-Field Compliance Inspector) at approximately 12:40 pm.

The Generator has conducted an investigation to determine the actual day, amount and cause of the non-conforming slag that was delivered to CLLF. The incident occurred during the week of January 13th through the 17th, where one job (3 hour production run, equivalent to 3% of the weekly production rate) was run using the Inobar (Barium) during the gray iron production process. The Generator is currently testing another sample to confirm that the previously generated slag was contaminated. The date of the non-conforming slag that was unknowingly

accepted by CLLF occurred on Friday, January 17th, and was delivered to the landfill for disposal on Monday, January 20th. The slag volume consisted of a 15 yard roll-off container that weighed approximately 11 tons. The slag is typically used to construct the tipper pad or fill in depressions within the working face area before being covered with another layer of waste. The area potentially impacted is very small since the load was documented and the area identified to prevent future filling. It is important to note that all environmental controls are in place and there is no cause for an imminent or substantial endangerment to human health or environment.

The slag is an approved special waste stream for disposal at CLLF and there have been no historical issues with this material. Also, special waste profile number 4714Y22796 was last recertified on February 14, 2011 and is currently in the process of being recertified for an estimated 4,500 cubic yards annually. After being notified by the Generator of the non-conforming waste load, CLLF has ceased to accept this material until a thorough investigation has been completed, operational procedures have been established to prevent future events from occurring, and analytical testing confirms the generation process is acceptable for disposal.

CLLF at this time is requesting guidance based on the attached Inobar Safety Data Sheet on whether the non-conforming slag load can remain in-place or needs to be exhumed and sent back to the Generator for proper disposal. Please contact Mike Houlditch, Special Waste Sales Rep at 260-310-3235, or myself at 219-306-2368 if you have any questions.

Sincerely,

Derek Mauntel
Environmental Manager

Attachment: Inobar Safety Data Sheet

Cc: Anne Weinkauf, IDEM Field Inspector (via email)
Charles Grady, IDEM Section Chief (via email)
Dave Moss, Mike Houlditch, County Line Landfill Partnership (via email)
Bill Eggleston, Clarke Lundell, Steve Smith, Mark Phillips & Rich Thompson, RSI (via email)

PECHINEY ELECTROMETALLURGIE
Société Anonyme au Capital de 311 138 800 Frs
642 005 177 R.C.S. Nanterre
6, Place de l'Iris - COURBEVOIE
Tour Manhattan
92087 PARIS LA DEFENSE CEDEX

SAFETY DATA SHEET

Specific Hazards - Labelling

Explosive H	Toxic H	Easily inflammable H
Combustive H	Harmful H	Inflammable H
Corrosive H	Irritant H	

1 - IDENTIFICATION

HMIS®

1.1 - Product identification : **INOBAR**

1.2 - Supplier - Manufacturer PEM - Dealer : (see stamp above)

- Department: FOUNDRY Tél. 33 (1) 47.62.88.00

H HEALTH 1
F FLAMMABILITY 0
R REACTIVITY 0
PERSONAL PROTECTION B

2 - COMPOSITION

:FeSi based inoculant with Si 63 % - Ba 9% - Ca 1 % (Typical values)

- Substance : /or/ Preparation : Alloy

- Impurities (representing a hazard) : no to our knowledge

3 - POTENTIAL HAZARDS

3.1 - Professional hazards : None flamable

3.2 - Environmental hazards : no to our knowledge

4 - FIRST AID PROCEDURES

Skin contact : None

Eye contact : Mechanical irritation. Flush eyes with water

Inhalation : Irrating cough, move to well ventilated erea

Accidental ingestion : None

Burn : None

Medical assistance needed/advisable : None

Other : None

5 - FIRE PREVENTION : no risk

5.1 - Flash point in closed space : ..../....°C following : not flamable

5.2 - Auto inflammability point : ..../....°C following : not flamable

5.3 - Specific fire or explosion hazards : not flamable

5.4 - Extinguishing methods : slight release of hydrogen when in contact with alkalis water

- Recommended : sand, dry powder extinguishers

- Unadvisable : alkaline products such as lime

5.5 - Special protective measures for fire fighting : avoid creating a cloud of dust

5.6 - Other recommendations : cover the product with dry sand if necessary

ACCIDENTAL RELEASE MEASURES :

6.1 - Personal precautions : Use glove and safety goggles

6.2 - Environmental precautions : Collect up the product and keep under cover in well ventilated conditions, avoid using compressed air, keep dry.

6.3 - Method for neutralizing or destroying the product : Recycling by the product plant

7 - STORAGE AND HANDLING

7.1 - Special precautions when storing and handling : store under cover in dry condition.

7.2 - Packing material to be avoided : no to our knowledge

8 - PERSONAL PROTECTION

VME 10 mg/m³ of total dust

8.1 - Personal prevention and protective measures { mask H_T gloves ■ goggles ■

other:

8.2 - Special protection measures : avoid forming and emitting dust particles

9 - PHYSICO-CHEMICAL PROPERTIES

		Solid	Pasty	Liquid	Gaseous
9.1 - Physical state	- at 20°C	■	H_T	H_T	H_T
	- at .....°C	H_T	H_T	H_T	H_T

- colour : grey - Odor : /

9.2 - Temperatures: - at melting point 1200 °C - at initial dilution >1500°C - at decomposition 2000°C

9.3 - pH : - at delivery ..... - at suggested dilution for use .....

9.4 - Solubility : - in water - dilution (g/l) - non miscible

. at 20 °C .....

. at .....°C .....

- in solvants

9.5 - Vapour pressure : - at 20°C ..... mbar - at .....°C ..... mbar
(vapour emissions to be monitored)

9.6 - Specific gravity

	Vapour	Liquid	Solid
- at 20 °C	.....kg/m³	.....g/cm³	4,5 g/cm³
- at °C	.....kg/m³	.....g/cm³	.....g/cm³

9.7 - Other data

10 - STABILITY AND REACTIVITY

10.1 - Hazardous decomposition products : no to our knowledge

10.2 - Hazardous reactions with : Possible formation of arsine and/or phosphine
Preventive measures : Do not use in a confined area

11 - TOXICOLOGY

11.1 - Metabolic effects of product: no to our knowledge

11.2 - Observed pathological effects or possible hazards for:

. skin)
. eyes)
. Respiratory system)
. Nervous system] no to our knowledge
. Ingestion)
. Allergies)
. Hematology]
. Other)

11.3 - Fumes : possible in moist conditions

Nature	Recommended Methods of detection and dosage in the air	Limit of average concentration for 8 h or threshold
Arsenic hydride AsH_3 Phosphorus hydride PH_3	DRAEGER Tubes	VME 0.8 mg/m³ VLE 0.8 mg/m³ VME 0.13 VLE 0.4

12 - ENVIRONMENTAL PROTECTION

12.1 - Ecotoxicity

. Waste)
. Biodegradability) no to our knowledge

12.2 - Special texts

13 - DISPOSAL CONSIDERATIONS

13.1 - Elimination of waste : no special precaution to our knowledge

13.2 - Destruction procedures for contaminated packing : incineration, recycling

- Ha

- TRANSPORTATION

14.1 - By land and fluvial

. French regulation

. R.I.D. - A.D.R. NOT DANGEROUS

Class :

Group :

Hazard n°:

Label n° :

Class and number of list: NOT DANGEROUS

Label :

14.2 - By sea

. O.M.C.I.

Class :

Label

14.3 - By air

.I.A.T.A.

Class :

article n° :

Label :

15 - REGULATORY INFORMATION

This data sheet only outlines the principal legeslative and regulatory texts promulgated ..... relating to this product
(substance or preparation). It should not be regarded as an exhaustive listing and does not, in any way, exempt the user of the product from refering to the totality of the official texts in order to learn the full extent of his/her obligations .

16 - OTHER PERTINANT INFORMATION

Place of issue: Paris La Défense Date of issue 04.07.97

Supplier's stamp

PECHINEY ELECTROMETALLURGIE
Société Anonyme au Capital de 311 138 800 Frs
642 005 177 R.C.S. Nanterre
6, Place de l'Iris - COURBEVOIE
Tour Manhattan
92087 PARIS LA DEFENSE CEDEX

).1 -

This data sheet complements the user's instructions but does not replace it . The information contained is based on our knowledge about the product as of 01.07.1990.

Attachment D

Letter from Rochester Metal Products Corporation
February 27, 2014

ROCHESTER METAL PRODUCTS CORP.

Quality Iron Castings

616 Indiana Avenue
P.O. Box 488 Phone 574-223-3164
Fax 574-223-2326
ROCHESTER, INDIANA 46975

February 27, 2014

RMP reviewed the sample collection method for the sample collected on 1/17/14. We believe it is not representative of the point of generation for the slag generated from the production lines. The point of generation source for the production lines is the melt furnace and transfer ladles, where slag is pulled off multiple times per day and placed in a hopper. A representative sample of slag from these production lines is one that is collected from several locations within the hopper containing slag generated from production throughout the day.

Three samples collected from throughout the slag hopper on 1/31/14 show results below the Barium TCLP threshold. Also three samples were collected on 1/27/14 that showed results below the Barium TCLP threshold. RMP is formalizing its Sampling and Analysis Plan (SAP) for waste characterization, including slag. The revised SAP will include protocols for the collection of samples representative of the average properties of the entire waste stream. We believe improvement and clarification of the SAP moving forward will prevent future reoccurrence.

While RMP notes that the 1/17/2014 slag results showed the particular sample as hazardous, we believe that the sample was not representative based upon the protocol. We have done additional sampling which has shown that slag as non-hazardous. At this point, we believe we have had a sampling protocol error that has resulted in a finding that does not properly represent the waste. For these reasons, RMP is continuing to evaluate the sampling protocol in order to make sure the protocol provides representative results.

If there are any questions please contact me at (574) 223-0461.

Sincerely,

Kayla Criswell

Kayla Criswell
Environmental/Project Engineer

REPUBLIC SERVICES, INC.

County Line Landfill Partnership
7922 North Old US HWY 31
Argos, IN 46501
Tel: (574) 892-6483

February 27, 2014

Ms. Alicia Brown
Solid Waste Permits Section
Office of Land Quality
100 North Senate Avenue
MC 65-45 IGCN 1101
Indianapolis, IN 46204-2251

Re: County Line Landfill Non-Conforming Waste Acceptance Notification
Solid Waste Facility Permit FP 25-03, Fulton County

Dear Ms. Brown:

Rochester Metals Products Corp. (RMP) is the generator of the transfer and pouring slag load that was potentially accepted by the County Line Landfill (CLLF) as the non-conforming waste event. RMP is concurrently preparing a separate letter to the Indiana Department of Environmental Management (IDEM) that documents a sampling protocol error that has resulted in a finding that does not properly represent the special waste stream being delivered to the landfill for disposal. All additional samples taken on multiple dates confirm that the analytical results for barium are below the Barium TCLP threshold. Therefore, CLLF is requesting a final determination or no further action required in light of this new information. Please contact me at 219-306-2368 if you have any questions.

Sincerely,

Derek Mauntel
Environmental Manager

Cc: Kelly Hall, IDEM Section Chief (via email)
Dave Moss, Mike Houlditch, County Line Landfill Partnership (via email)
Bill Eggleston, Clarke Lundell, Steve Smith, Mark Phillips & Rich Thompson, RSI (via email)